REMARKS

While preparing this response it was noticed that two references discussed in the Background section were not formally made of record. In addition, it appears that a reference (WO 99/43146) cited during the prosecution of a corresponding (now granted) Finnish patent application was inadvertently not made of record. As such, appended to this response are a supplemental Information Disclosure Statement, a PTO-1449, and copies of the three cited references. The attached transmittal accounts for the required fee to have the IDS entered into the record, and the references considered and made of record.

The specification has been amended to add section headings and to remove references to certain claims in the Summary section.

In Sections 1, 2 and 3 of the Office Action the Examiner raised certain claim objections and rejections based on clarity and indefiniteness issues, as well as on 35 USC 101.

In order to facilitate the continued prosecution of this patent application the originally filed claims 1-18 have been cancelled without prejudice or disclaimer and replaced by new claims 19-37. The new claims should render moot the claim objections and the rejections based on 35 USC 112, second paragraph and 35 USC 101. No new matter has been added. For example, the "data structure" referred to in the independent claims is supported in the specification as filed at least at page 5, lines 8-10.

Claims 1-18 were also rejected under 35 USC 102(a) as being unpatentable over King (US 6,532,446) in view of Van Gestel (US 6,963,836). This rejection is respectfully disagreed with, and is traversed below.

It is noted that the Examiner's reference to Van Gestel on page 4, line 7, of the Office Action appears to be an error, as it is believed the Examiner meant to state that "King fails to teach...".

It is first made of record that the Examiner's proposed combination of King and Van Gestel is not appropriate since King teaches away from such a combination. For example, King states in col. 7, lines 28-44:

> In accordance with the principles of the **present invention**, users of mobile devices (e.g. mobile devices 102 and 103) may access speech recognition services on those mobile devices **without the significant hardware or software modifications that might be required if the speech recognition application were executed by the device. Additionally, since the software performing speech recognition processing is resident on an accessible remote server device with superior processing speed (as compared to that of the mobile device) and large storage capacity, the user of the device can be provided with the functionality and resources associated with a full featured speech recognition application.** For example, the speech recognition application may have access to large language dictionaries, selectable language dictionaries for multiple languages and user specific files (e.g. voice templates and user customized dictionaries and lists).

Clearly, the speech recognition functionality of King is located in the network, and not in the mobile devices *per se*. For at least this one reason one skilled in the art would not be led to incorporate the speech recognition function of King in the electronic user device of Van Gestel.

Further, that portion of King referred to several times by the Examiner (i.e., col. 5, lines 33-47) states only the following:

> Examples of user specific files might include **user specific speech templates, one or more user specified language dictionaries (e.g. French, English, German or Cantonese) and one or more user specific dictionaries or lists of an individual user's frequently used words.** These files may be uploaded and managed using a networked multimedia computer (e.g. multimedia computer 140) or through the user interface of the serviced mobile device. For example, voice templates are generated by having the user read a pre-determined script into a voice-enabled device. **User preferences (e.g. languages of choice) may be input using menu selection screens presented to the user on the display of the mobile device** or another device connected to the speech recognition server system via a wired network.

There is clearly no disclosure, as in claim 19, of:

> a memory that stores **a data structure that comprises a plurality of language packages, each of said plurality of language packages having associated therewith with a plurality of languages, where at least some of said plurality of languages are associated with more than one of said plurality of language packages, where one of said plurality of language packages is arranged to be selected for use by said speech recognition system when recognizing a user's speech.**

The same applies to that portion of King from column 7 that was reproduced above, i.e., "speech recognition application may have access to large language dictionaries, selectable language dictionaries for multiple languages and user specific files (e.g. voice templates and user customized dictionaries and lists)."

That is, there is no disclosure of at least the subject matter reproduced above from claim 1.

The disclosure of Van Gestel does not remedy the deficiencies of King. What Van Gestel proposes to teach is that:

> According to the invention, it is not necessary that the user uses separate commands (manual or voice commands) to set the language attribute. Instead, the language attribute is determined as a secondary function of a voice command. The secondary function is predetermined in the sense that **once the recognizer has recognized the command, the language attribute is known**. It is not necessary to separately establish the language from features of the speech input. Normally, the first function will be a function of the device receiving the speech or containing the speech recognizer. It will be appreciated that the first function may also relate to another device, which is controlled by the device receiving or processing the speech via a network (col. 2, lines 9-22),

and

> In one preferred embodiment of the invention, the activation command itself is in the language according to which the language attribute will be set. (col. 2, lines 54-56).

That is, Van Gestel discloses simply that the language to be used by the speech recognizer is automatically set based on the recognition of the activation command uttered by the user. This is clearly not equivalent to a device configured to "automatically perform a selection from said data structure of **one of said plurality of language packages** for use by said speech recognition system", where there are a "plurality of language packages", and where "**each of said plurality of language packages having associated therewith with a plurality of languages**", as is recited in claim 19.

Thus, even if the automatic language selection technique of Van Gestel were to be somehow combined with the server-based voice recognition technique of King, which again is clearly not admitted is suggested, the resulting combination would still not render claim 19 unpatentable.
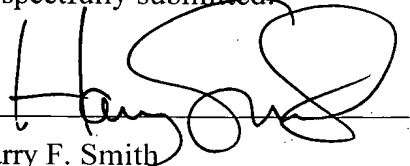
In that claim 19 is clearly allowable over the proposed combination of King and Van Gestel, then all claims that depend from claim 19 are also clearly patentable for at least this one reason alone.

Independent claims 26 and 32 each include language that is identical or similar to the language found in claim 19, and are also deemed to be clearly allowable over the proposed combination of King and Van Gestel, as are all claims that depend from claims 26 and 32.

The Examiner is respectfully requested to reconsider and remove the rejections of the claims as now presented for examination under 35 U.S.C. 112, second paragraph, 35 USC 101, and 35 USC 103(a), and to allow all of the pending claims 19-37. An early notification of the allowability of claims 19-37 is earnestly solicited.

Respectfully submitted:

_____   1/15/2009
Harry F. Smith   Date

Reg. No.: 32,493

Customer No.: 29683

HARRINGTON & SMITH, PC

4 Research Drive

Shelton, CT 06484-6212

Telephone: (203)925-9400

Facsimile: (203)944-0245   email: hsmith@hspatent.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

1/15/2109   Elaine F. Mean
Date   Name of Person Making Deposit

11